



*United States Attorney
District of Alaska*

*Federal Building & U.S. Courthouse
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June 2, 2006

Lance C. Wells, Law Offices
733 W. Fourth Avenue, Suite 308
Anchorage, Alaska 99501

[Hand Delivery in Fairbanks]

RE: United States v. Mitchell Ellis Asher, Case No. 4:05-cr-036 (RRB) (F05-36 CR)

Mr. Wells:

The parties agree:

1. The defendant Mitchell Ellis Asher waives venue in the Middle District of Florida as provided in 18 U.S.C. § 3231 with respect to the offenses which are charged in Counts 13 through 43 of the Superseding Information as having been committed in that district. Defendant expressly consents to jurisdiction and venue in the United States District Court for the District of Alaska for all purposes including prosecution and sentencing for said offenses.

2. Defendant will enter a plea of guilty to the charges in the Superseding Information, charging Interstate Transportation of Stolen Property in violation of 18 U.S.C. § 2314, Fraudulent Use of Access Device (credit card) in violation of 18 U.S.C. § 1029(a)(2), Money Laundering in violation of 18 U.S.C. § 1957, Transportation of Stolen Motor Vehicle in violation of 18 U.S.C. § 2312, Wire Fraud in violation of 18 U.S.C. § 1343, and Mail Fraud in violation of 18 U.S.C. § 1341.

3. Sentencing is open, and restitution will be ordered for all charged conduct and relevant conduct.

4. The United States will obtain the agreement of the State of Florida and the federal authorities in Florida that they will not prosecute defendant for the conduct underlying the charges in this case.

5. I, Mitchell Ellis Asher, waive appeal, and having been fully advised, I waive and give up the following rights:

- If applicable, the right to have the charges against me presented to the grand jury prior to entering my plea of guilty;
- The right to plead not guilty or to persist in that plea if it has already been made;
- The right to a speedy and public trial by a jury on the issues of my guilt or sentence, and my interest in any forfeitable assets;
- The right to object to the composition of the grand or petit jury;
- The right to be presumed innocent and not to suffer any criminal penalty unless and until my guilt is established beyond a reasonable doubt;
- The right to be represented by a lawyer at trial and if necessary to have a lawyer appointed to represent me at trial -- I understand I am not waiving my right to have counsel continue to represent me during the sentencing and any other phase of my case;

- The right to confront and cross examine witnesses against me, and the right to subpoena witnesses to appear in my behalf;
- The right to remain silent at trial, with such silence not to be used against me, and the right to testify in my own behalf;
- The right to contest the validity of any searches conducted on my property or person.

I understand that pleading guilty acts as a waiver of the right to appeal my conviction. I also understand and agree that as consideration for the government's commitments under this agreement, and if its terms and conditions are fulfilled, I knowingly and voluntarily waive the right, contained in 18 U.S.C. § 3742, to appeal the sentence – including terms or conditions of probation (if applicable) or supervised release, and any fines or restitution– the court imposes. Furthermore, I also knowingly and voluntarily agree to waive the right to collaterally attack my conviction and/or sentence – including terms or conditions of probation (if applicable) or supervised release, and any fines or restitution– the court imposes. The only exceptions to this collateral attack waiver are as follows: 1) any challenge to the conviction or sentence alleging ineffective assistance of counsel -- based on information not now known to me and which, in the exercise of reasonable diligence, could not be known by me at the time the court imposes sentence; and 2) a challenge to the voluntariness of my guilty plea. I also agree that if my guilty plea is rejected, withdrawn, vacated, reversed, or set aside, or if my sentence is vacated, reversed, set aside, or modified, at any time, in any proceeding, for any reason, the United States in its sole discretion will be free to withdraw from this agreement and to prosecute me on all charges for which there is probable cause.

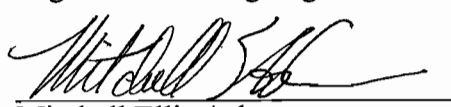
Yours Truly,

TIMOTHY M. BURGESS
United States Attorney

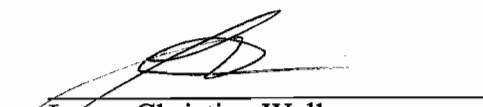


STEPHEN COOPER
Assistant United States Attorney

I agree to the foregoing terms.



Mitchell Ellis Asher
Defendant



Lance Christian Wells
Attorney for Mitchell Ellis Asher

Date: 6-2-06